GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public services - EFS&T Department - Sri S.Aswani Kumar, Forest Section Officer, WLM Range Kakinada of WLM Division, Rajahmundry (now under training) - Inquiry under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - Article of charges issued -Regarding

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ENVIRNOMENT, FORESTS, SCICENCE AND TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.RT.No. 15 Dated: 14-02-2020.
Read :

Government Memo No.1209/Sec.IV/A1/2018, EFS&T (SEC. IV) Department, dt.14.02.2020.

* * * *

ORDER:

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference read above, it is considered necessary to hold an enquiry against Sri S.Aswani Kumar, Forest Section Officer, WLM Range Kakinada of WLM Division, Rajahmundry in accordance with the procedure laid down in Rule – 20 of A.P.C.S (CC&A), Rules, 1991.

2. The substance of imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charges (Annexure-I). A list of documents by which, and a list of witnesses by whom, the Article of Charges are proposed to be sustained are also enclosed (Annexure-II and III).

3. Sri S.Aswani Kumar, Forest Section Officer is informed that he is directed to submit a written statement of his defense within (10) days from the date of receipt of this order and also to state whether he desires to be heard in person.

4. Sri S.Aswani Kumar, Forest Section Officer, is informed that the enquiry will be held only in respect of those Articles of charges as are not admitted. He should, therefore, specifically admit or deny each Article of charge.

5. Sri S.Aswani Kumar, Forest Section Officer, is further informed that if he does not submit his written statement of defense within the time specified in Para 3 above, further action will be taken based on the material available.

6. Attention of Sri S.Aswani Kumar, Forest Section Officer is invited to Rule - 24 of the A.P.C.S (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri S.Aswani Kumar, Forest Section Officer is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule- 24 of the A.P.C.S (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of Article of Charges should be acknowledged on the duplicate copy enclosed and the said duplicate copy be returned to the under signed immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri S.Aswani Kumar, Forest Section Officer (now undergoing training), (induplicate)
{Through the Prl.Chief Conservator of Forests (HoFF), Andhra Pradesh, Guntur}
Copy to the Prl.Chief Conservator of Forests (HoFF), Andhra Pradesh, Guntur for information and necessary action. He is requested to issue instructions to the concerned to arrange to serve the Government Orders on the individual, obtain his dated acknowledgment on the duplicate copy and resubmit the same to the Government immediately.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE

Statement of Articles of charge framed against Sri S.Aswani Kumar, Forest Section Officer, WLM Range Kakinada of WLM Division, Rajahmundry (now under training)

That the said Sri S.Aswani Kumar, Forest Section Officer, WLM Range Kakinada of WLM Division, Rajahmundry (now under training) from 03-06-2017 to 30.09.2018, had committed the grave misconduct and irregularities as mentioned in the following Article of Charge.

ARTICLE OF CHARGE :

"That he had shown gross negligence in duties and allowed the tourism Boats without registration from the Executive Engineer, Dowleswaram at the cost of safety of the Tourists at Community based Eco-tourism at Coringa Mada Forest, Coringa(V), Tallarevu (M) and that he allowed a private Boat at EDC without obtaining any permission from the higher authorities and also the Forest Section officer, Coringa Section, WLM Range, Kakinada has failed to restrict the EDC authorities from allowing tourists on Jet Ski which was brought for the purpose of trial run.

Thus, Sri S.Aswani Kumar, Forest Section Officer while working in Coringa WLM Section, WLM Range, Kakinada of WLM Division, Rajahmundry of Rajahmundry Circle by his above mentioned acts has exhibited lack of integrity, discipline and devotion to duty and conduct unbecoming of a Government servant and thereby contravened Rule-3 (1) of the A.P.C.S (Conduct) Rules, 1964. **Hence the charge**".

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE – I

STATEMENT OF IMPUTATIONS AND MISCONUDCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI S.ASWANI KUMAR, FOREST SECTION OFFICER WHILE WORKING IN CORINGA WLM SECTION, WLM RANGE, KAKINADA OF KAKINADA WLM DIVISION FROM 03-06-2017 to 30.09.2018.

ARTICLE OF CHARGE :

"That he had shown gross negligence in duties and allowed the tourism Boats without registration from the Executive Engineer, Dowleswaram at the cost of safety of the Tourists at Community based Eco- tourism at Coringa Mada Forest, Coringa (V), Tallarevu (M), and that he allowed a private Boat at EDC without obtaining any permission from the higher authorities and also the Forest Section officer, Coringa Section, WLM Range, Kakinada has failed to restrict the EDC authorities from allowing tourists on Jet Ski which was brought for the purpose of trial run.

Basis of the charge: -

In the light of the boat accident which occurred at Ferry Ghat, Pavitra Sangamam, Vijayawada, the V&E officials along with Revenue officials conducted surprise inspections at all boating points to verify the fitness, registration of the boats and safety measures being taken in the boats in East Godavari District viz., Coringa Wildlife Eco Tourism, Bhupathipalem Reservoir, Pattiseema Tourist Spot, Devipatnam, PushkarGhat, PadmavathiGhat and SarswathiGhat on different dates i.e., 15.11.2017, 19.11.2017 and 21.12.2017 and noticed the following irregularities at community based Eco Tourism at Coringa Mada Forest, Coringa (V), Tallarevu (M) under the control of Wildlife Management Division, Rajamahendravaram.

Community based Eco Tourism at Coringa Mada Forest, Coringa Village of Tallarevu Mandal:

The V&E Officials have noticed that the Wildlife Wing of Forest Department is organizing community based Eco- Tourism at Coringa Mada Forest. Here the Forest Department is organizing (9) tourist boats with (6) to (30) member seating capacity and one Jet Ski (Water Scooter).

The V&E officials along with Police & Revenue Department officials verified the above boating point on 19.11.2017. On verification, it was noticed that the following boats are present at that time.

1. Godavari Boat (Working)
2. Jahnavi Boat (Working)
1. Sea Boat (Working)
2. Vanya Boat (Working)
3. Indian Skimmer Boat (Under Repair)
4. Sand Piper Boat (Under Repair)
5. VanaRakshak Boat (under Repair)

In addition to the above, one private boat "Blue Lagoon" and a Jet Ski (Water Scooter) were also present. All the above boats are being operated by licensed boat drivers by taking proper safety measures.

On further verification, it was noticed that all the above eight boats of the Forest Department and one private boat and one Jet Ski are being operated without obtaining registration from the Executive Engineer, Irrigation Department, Dowleswaram or Port Officer (as they used to go up to sea mouth)

The boats were seized by the Revenue officials under a cover of Panchanama and the Forest Department officials were advised not to operate till they get registered with the Boats Superintendent, Dowleswaram, Rajahmundry.

The V&E Officials have observed that the Forest Department is operating the boats without proper registration from the competent authorities. The Forest Section officer, Coringa Section of WLM Range, Kakinada has stated the Forest Department is organizing seven Boats (four working and three under repair) at EDC. Further one private Beat "Blue Langoon" is kept at the EDC and "Jet Ski" was brought from M/s Water sports simple India Pvt. Ltd for trial run. The charged officer agreed that there are no registrations for seven boats and two other boats. He also added that they shall not operate the boats without obtaining licenses from the competent authorities. The charged officer has allowed a private person to keep his boat without any authorization from higher authorities. The Forest Section officer, Coringa Section, WLM Range, Kakinada has also stated that the Jet Ski was brought for trail, but the EDC authorities are allowing the tourists for Rs.300/- trip by selling tickets. Further, the charged officer is knowledge that he should not operate Boats without obtaining registration from the competent authorities. He allowed the private boat "Blue Langoon" at the jetty without any permission from his higher authorities. As such, the version of the charged officer is not acceptable.

It is evident from the above that during his tenure the charged officer had shown gross negligence in duties and allowed the tourism Boats without registration from the Executive Engineer, Dowleswaram at the cost of safety of the Tourists at Community based Eco- tourism at Coringa Mada Forest, Coringa (V), Tallarevu (M), and that he allowed a private Boat at EDC without obtaining any permission from the higher authorities and also the Forest Section officer, Coringa Section, WLM Range, Kakinada has failed to restrict the EDC authorities from allowing tourists on Jet Ski which was brought for the purpose of trial run. The charged officer has failed to report the facts happened at EDC to the higher authorities and proper management of activities of EDC in Coringa WLM Range, Kakinada.

Thus, the charged officer has failed to discharge his general duties of Forest Officer under Section 148 of A.P Forest Department Code and failed to attend the legitimate duties and responsibilities of Forest Section officer as envisaged under Section 156 of A.P. Forest Department Code and thereby violated the provisions of the A.P Forest Act, 1967 and A.P. Wildlife Protection Act, 1972 Forest Conservation Act, 1980 as well as Canals and Public Ferries Act, 1890. **Hence, the charge**.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE - II

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINSTSRI S.ASWINI KUMAR, FOREST SECTION OFFICER IN CORINGA WLM SECTION, WLM RANGE, KAKINADA OF WLM DIVISION RAJAHMUNDRY OF RAJAHMUNDRY CIRCLE ARE PROPOSED TO BE SUSTAINED.

1. Director General (V&E) & E.O Prl.Secretary to Govt. (FAC), G.A.D (V&E) Dept., Govt. of A.P, Velagapudi, Amaravathi Vigilance report No. 16 (C. No. 241/V&E/D1/2018, dated 26-02-2018.

2. Govt. memo no.1209/Sec. IV/A1/2018 E.F.S. & T (SEC.IV) dept, dated 01-05-2018.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE - III

LIST OF WITNESSESBY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI S.ASWINI KUMAR, FOREST SECTION OFFICER IN CORINGA WLM SECTION, WLM RANGE, KAKINADA OF WLM DIVISION RAJAHMUNDRY OF RAJAHMUNDRY CIRCLE ARE PROPOSED TO BE SUSTAINED.

The concerned officials of the Vigilance and Enforcement Department of Rajahmundry unit who have inspected and conducted surprise inspections at all Boating points to verify the fitness, registration of the Nets and safety measures being taken in the Beats in East Godavari District.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER